



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes PLANNING COMMISSION

*Bob Kinney - Chairman*  
*Kent Rosenbury, Ward 1*  
*Frasure Hunter, Ward 2*  
*Hicks Poor, Ward 3*  
*Roy Vanderslice, Ward 4*  
*Brenda McCrae, Ward 5*  
*Stephen Diffley, Ward 7*

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Tuesday, December 1, 2015

6:00 PM

City Hall Council Chambers

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*Present: Bob Kinney, Kent Rosenbury, Frasure Hunter, Hicks Poor, Roy Vanderslice, Brenda McCrae and Stephen Diffley*

*Staff:*

*Brian Binzer, Development Services Director*  
*Rusty Roth, Planning & Zoning Manager*  
*Shelby Winkles, Planning Administrator*  
*Jasmine Chatman, Planner*  
*Daniel White, City Attorney*  
*Ines Embler, Secretary to the Board*

### CALL TO ORDER & ROLL CALL:

*Chairman Kinney called the December 1, 2015 Planning Commission Meeting to order at 6:00PM*

*Mr. White, City Attorney, explained the rules and procedures used in conducting the public hearings.*

### MINUTES:

**20151054 November 3, 2015 Regular Planning Commission Meeting Minutes**

**Review and Approval of the November 3, 2015 Regular Planning Commission Meeting Minutes.**

*Mr. Diffley made a motion, seconded by McCrae to recommend approval as submitted. The motion carried 7-0-0.*

**Approved and Finalized**

**Absent: 0**  
**Vote For: 7**  
**Vote Against: 0**

**REZONINGS/CODE AMENDMENTS:****20150983      Z2015-38 [REZONING] WILLIAM C. HAGEMANN PROFIT SHARING PLAN**

**Z2015-38 [REZONING] WILLIAM C. HAGEMANN PROFIT SHARING PLAN** requesting rezoning for property located in Land Lot 1158, District 16, Parcel 1240, 2nd Section, Marietta, Cobb County, Georgia, and being known as 180 Locust Street from OI (Office Institutional) to R-4 (Single Family Residential - 4 units/acre). Ward 3A.

*File number Z2015-38 was presented by Mr. Roth for a request to rezone property located at 180 Locust Street from OI (Office Institutional) to R-4 (Single Family Residential - 4 units/acre).*

*A public hearing was held.*

*Mr. William C. Hagemann, the Applicant, is requesting to rezone property located at 180 Locust Street from OI (Office Institutional) to R-4 (Single Family Residential - 4 units/acre) in order to build a single family home.*

*There was no opposition to this request.*

*Mr. Hagemann stated that the couple that will be building the house will need a variance for a detached garage.*

*Mr. Diffley asked if he was aware that Marietta Power does not serve power there and Mr. Hagemann stated that he was not aware of that and he believes they do serve power there.*

*Mr. Kinney asked if there is power there now and Mr. Hagemann stated that there is no power currently at the property but that Marietta Power has a pole right there at the site.*

*The public hearing was closed.*

*Mr. Diffley made a motion, seconded by Mr. Rosenbury to recommend approval as submitted including a variance for a detached garage. The motion carried 6-0-1. Mr. Poor abstained.*

**Recommended for Approval as Stipulated**

**Absent:** 0  
**Vote For:** 6  
**Vote Against:** 0  
**Abstain:** 1

**20151085      Z2015-39 [REZONING] CITY OF MARIETTA**

**Z2015-39 [REZONING] CITY OF MARIETTA** request rezoning for property located in Land Lot 1075, District 16, 2nd Section, Marietta, Cobb County,

**Georgia and being known as a portion of Burnap Street right-of-way from unzoned to R-2 (Single Family Residential - 2 units/acre). Ward 4B.**

*File number Z2015-39 was presented by Mr. Roth for a request to rezone property known as a portion of Burnap Street right-of-way from unzoned to R-2 (Single Family Residential – 2 units/acre).*

*A public hearing was held.*

*The City of Marietta is requesting to rezone property known as a portion of Burnap Street right-of-way from unzoned to R-2 (Single Family Residential – 2 units/acre) in order to sell it to adjacent property owners.*

*There was no opposition to this request.*

*Mr. Kinney noted that it looks like there are around five (5) adjacent properties. Mr. White, City Attorney, affirmed and stated that they are all owned by the same family and will be sold as one (1) tract.*

*The public hearing was closed.*

*Mr. Vanderslice made a motion, seconded by Mr. Poor to recommend approval as submitted. The motion carried 7-0-0.*

**Recommended for Approval**

**Absent: 0**

**Vote For: 7**

**Vote Against: 0**

**20150959**

**CA2015-11 [CODE AMENDMENT]**

**CA2015-11 [CODE AMENDMENT] Proposal to amend Division 722, paragraph 722.06 Reversionary Clause, as shown below, by deleting it in its entirety.**

*722.06 Reversionary clause*

*If at the time of 12 months from the date of rezoning of property the owner has not obtained a building permit, and presented the necessary development plans as determined by the Department of Planning and Zoning on at least a portion of said property, the Planning and Zoning Director may propose a map amendment to rezone the property back to the previous zoning district classification. The owner of the property will be notified of the reversionary action to take place and afforded an opportunity to appear before the Planning Commission and City Council to show cause why the reversionary action should not be taken.*

*File number CA2015-11 was presented by Mr. Roth for a Code Amendment Proposal to delete Section 722.06, Reversionary clause, from the Comprehensive Development Code of the City of Marietta.*

*A public hearing was held.*

*Mr. Roth, City Staff, presented a Code Amendment Proposal to delete Section 722.06, Reversionary clause, from the Comprehensive Development Code of the City of Marietta.*

*There was no opposition to this request.*

*Mr. Kinney asked when this clause was put into the City Code. Mr. Roth, stated that it was since 1984 or later.*

*Mr. White, City Attorney, clarified what defines an automatic reversion.*

*The public hearing was closed.*

*Mr. Rosenbury made a motion, seconded by Mr. Vanderslice to recommend approval as submitted. The motion carried 7-0-0.*

**Recommended for Approval**

**Absent: 0**

**Vote For: 7**

**Vote Against: 0**

**ADJOURNMENT:**

*The December 1, 2015 Planning Commission Meeting adjourned at 6:15PM.*



ROBERT W. KINNEY, CHAIRMAN



INES EMBLER, SECRETARY